

Senate Amendment 3238

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1 1 Amend House File 619, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. By striking everything after the enacting
1 4 clause and inserting the following:
1 5 <DIVISION I
1 6 DNA PROFILING
1 7 Section 1. NEW SECTION. 81.1 DEFINITIONS.
1 8 As used in this chapter, unless the context
1 9 otherwise requires:
1 10 1. "DNA" means deoxyribonucleic acid.
1 11 2. "DNA databank" means the repository for DNA
1 12 samples obtained pursuant to section 81.4.
1 13 3. "DNA database" means the collection of DNA
1 14 profiles and DNA records.
1 15 4. "DNA profile" means the objective form of the
1 16 results of DNA analysis performed on a DNA sample.
1 17 The results of all DNA identification analysis on an
1 18 individual's DNA sample are also collectively referred
1 19 to as the DNA profile of an individual.
1 20 5. "DNA profiling" means the procedure established
1 21 by the division of criminal investigation, department
1 22 of public safety, for determining a person's genetic
1 23 identity.
1 24 6. "DNA record" means the DNA sample and DNA
1 25 profile, and other records in the DNA database and DNA
1 26 data bank used to identify a person.
1 27 7. "DNA sample" means a biological sample provided
1 28 by any person required to submit a DNA sample or a DNA
1 29 sample submitted for any other purpose under section
1 30 81.4.
1 31 8. "Person required to submit a DNA sample" means
1 32 a person convicted, adjudicated delinquent, receiving
1 33 a deferred judgment, or found not guilty by reason of
1 34 insanity of an offense requiring DNA profiling
1 35 pursuant to section 81.2. "Person required to submit
1 36 a DNA sample" also means a person determined to be a
1 37 sexually violent predator pursuant to section 229A.7.
1 38 Sec. 2. NEW SECTION. 81.2 PERSONS REQUIRED TO
1 39 SUBMIT A DNA SAMPLE.
1 40 1. A person who receives a deferred judgment for a
1 41 felony or against whom a judgment or conviction for a
1 42 felony has been entered shall be required to submit a
1 43 DNA sample for DNA profiling pursuant to section 81.4.
1 44 2. A person determined to be a sexually violent
1 45 predator pursuant to chapter 229A shall be required to
1 46 submit a DNA sample for DNA profiling pursuant to
1 47 section 81.4 prior to discharge or placement in a
1 48 transitional release program.
1 49 3. A person found not guilty by reason of insanity
1 50 of an offense that requires DNA profiling shall be
2 1 required to submit a DNA sample for DNA profiling
2 2 pursuant to section 81.4 as part of the person's
2 3 treatment management program.
2 4 4. A juvenile adjudicated delinquent of an offense
2 5 that requires DNA profiling of an adult offender shall
2 6 be required to submit a DNA sample for DNA profiling
2 7 pursuant to section 81.4 as part of the disposition of
2 8 the juvenile's case.
2 9 5. An offender placed on probation shall
2 10 immediately report to the judicial district department
2 11 of correctional services after sentencing so it can be
2 12 determined if the offender has been convicted of an
2 13 offense requiring DNA profiling. If it is determined
2 14 by the judicial district that DNA profiling is
2 15 required, the offender shall immediately submit a DNA
2 16 sample.
2 17 6. A person required to register as a sex
2 18 offender.
2 19 Sec. 3. NEW SECTION. 81.3 ESTABLISHMENT OF DNA
2 20 DATABASE AND DNA DATABANK.
2 21 1. A state DNA database and a state DNA databank
2 22 are established under the control of the division of
2 23 criminal investigation, department of public safety.
2 24 The division of criminal investigation shall conduct

2 25 DNA profiling of a DNA sample submitted in accordance
2 26 with this section.

2 27 2. A DNA sample shall be submitted, and the
2 28 division of criminal investigation shall store and
2 29 maintain DNA records in the DNA database and DNA
2 30 databank for persons required to submit a DNA sample.

2 31 3. A DNA sample may be submitted, and the division
2 32 of criminal investigation shall store and maintain DNA
2 33 records in the DNA database and DNA databank for any
2 34 of the following:

2 35 a. Crime scene evidence and forensic casework.

2 36 b. A relative of a missing person.

2 37 c. An anonymous DNA profile used for forensic
2 38 validation, forensic protocol development, or quality
2 39 control purposes, or for the establishment of a
2 40 population statistics database.

2 41 4. A fingerprint record of a person required to
2 42 submit a DNA sample shall also be submitted to the
2 43 division of criminal investigation with the DNA sample
2 44 to verify the identity of the person required to
2 45 submit a DNA sample.

2 46 Sec. 4. NEW SECTION. 81.4 COLLECTING,
2 47 SUBMITTING, ANALYZING, IDENTIFYING, AND STORING DNA
2 48 SAMPLES AND DNA RECORDS.

2 49 1. The division of criminal investigation shall
2 50 adopt rules for the collection, submission, analysis,
3 1 identification, storage, and disposition of DNA
3 2 records.

3 3 2. A supervising agency having control, custody,
3 4 or jurisdiction over a person shall collect a DNA
3 5 sample from a person required to submit a DNA sample.
3 6 The supervising agency shall collect a DNA sample,
3 7 upon admittance to the pertinent institution or
3 8 facility, of the person required to submit a DNA
3 9 sample or at a determined date and time set by the
3 10 supervising agency. If a person required to submit a
3 11 DNA sample is confined at the time a DNA sample is
3 12 required, the person shall submit a DNA sample as soon
3 13 as practicable. If a person required to submit a DNA
3 14 sample is not confined after the person is required to
3 15 submit a DNA sample, the supervising agency shall
3 16 determine the date and time to collect the DNA sample.

3 17 3. A person required to submit a DNA sample who
3 18 refuses to submit a DNA sample may be subject to
3 19 contempt proceedings pursuant to chapter 665 until the
3 20 DNA sample is submitted.

3 21 4. The division of criminal investigation shall
3 22 conduct DNA profiling on a DNA sample or may contract
3 23 with a private entity to conduct the DNA profiling.

3 24 Sec. 5. NEW SECTION. 81.5 CIVIL AND CRIMINAL
3 25 LIABILITY == LIMITATION.

3 26 A person who collects a DNA sample shall not be
3 27 civilly or criminally liable for the collection of the
3 28 DNA sample if the person performs the person's duties
3 29 in good faith and in a reasonable manner according to
3 30 generally accepted medical practices or in accordance
3 31 with the procedures set out in the administrative
3 32 rules of the department of public safety adopted
3 33 pursuant to section 81.4.

3 34 Sec. 6. NEW SECTION. 81.6 CRIMINAL OFFENSE.

3 35 1. A person who knowingly or intentionally does
3 36 any of the following commits an aggravated
3 37 misdemeanor:

3 38 a. Discloses any part of a DNA record to a person
3 39 or agency that is not authorized by the division of
3 40 criminal investigation to have access to the DNA
3 41 record.

3 42 b. Uses or obtains a DNA record for a purpose
3 43 other than what is authorized under this chapter.

3 44 2. A person who knowingly or intentionally alters
3 45 or attempts to alter a DNA sample, falsifies the
3 46 source of a DNA sample, or materially alters a
3 47 collection container used to collect the DNA sample,
3 48 commits a class "D" felony.

3 49 Sec. 7. NEW SECTION. 81.7 CONVICTION OR ARREST
3 50 NOT INVALIDATED.

4 1 The detention, arrest, or conviction of a person
4 2 based upon a DNA database match is not invalidated if
4 3 it is determined that the DNA sample or DNA profile
4 4 was obtained or placed into the DNA database by
4 5 mistake or error.

4 6 Sec. 8. NEW SECTION. 81.8 CONFIDENTIAL RECORDS.

4 7 1. A DNA record shall be considered a confidential
4 8 record and disclosure of a DNA record is only
4 9 authorized pursuant to this section.

4 10 2. Confidential DNA records under this section may
4 11 be released to the following agencies for law
4 12 enforcement identification purposes:

4 13 a. Any criminal or juvenile justice agency as
4 14 defined in section 692.1.

4 15 b. Any criminal or juvenile justice agency in
4 16 another jurisdiction that meets the definition of a
4 17 criminal or juvenile justice agency as defined in
4 18 section 692.1.

4 19 3. The division of criminal investigation shall
4 20 share the DNA record information with the appropriate
4 21 federal agencies for use in a national DNA database.

4 22 4. A DNA record or other forensic information
4 23 developed pursuant to this chapter may be released for
4 24 use in a criminal or juvenile delinquency proceeding
4 25 in which the state is a party and where the DNA record
4 26 or forensic information is relevant and material to
4 27 the subject of the proceeding. Such a record or
4 28 information may become part of a public transcript or
4 29 other public recording of such a proceeding.

4 30 5. A DNA record or other forensic information may
4 31 be released pursuant to a court order for criminal
4 32 defense purposes to a defendant, who shall have access
4 33 to DNA samples and DNA profiles related to the case in
4 34 which the defendant is charged.

4 35 Sec. 9. NEW SECTION. 81.9 EXPUNGEMENT OF DNA
4 36 RECORDS.

4 37 1. A person whose DNA record has been included in
4 38 the DNA database or DNA databank established pursuant
4 39 to section 81.3 may request, in writing to the
4 40 division of criminal investigation, expungement of the
4 41 DNA record from the DNA database and DNA databank
4 42 based upon the person's conviction, adjudication, or
4 43 civil commitment which caused the submission of the
4 44 DNA sample being reversed on appeal and the case
4 45 dismissed. The written request shall contain a
4 46 certified copy of the final court order reversing the
4 47 conviction, adjudication, or civil commitment, and a
4 48 certified copy of the dismissal, and any other
4 49 information necessary to ascertain the validity of the
4 50 request.

5 1 2. The division of criminal investigation, upon
5 2 receipt of a written request that validates reversal
5 3 on appeal of a person's conviction, adjudication, or
5 4 commitment, and subsequent dismissal of the case, or
5 5 upon receipt of a written request by a person who
5 6 voluntarily submitted a DNA sample under section 81.3,
5 7 subsection 3, paragraph "b", or upon receipt of a
5 8 written request by a person who voluntarily submitted
5 9 a DNA sample pursuant to section 81.3, subsection 3,
5 10 paragraph "b", shall expunge all of the DNA records
5 11 and identifiable information of the person in the DNA
5 12 database and DNA databank. However, if the division
5 13 of criminal investigation determines that the person
5 14 is otherwise obligated to submit a DNA sample, the DNA
5 15 records shall not be expunged. If the division of
5 16 criminal investigation denies an expungement request,
5 17 the division shall notify the person requesting the
5 18 expungement of the decision not to expunge the DNA
5 19 record and the reason supporting its decision. The
5 20 division of criminal investigation decision is subject
5 21 to judicial review pursuant to chapter 17A. The
5 22 department of public safety shall adopt rules
5 23 governing the expungement procedure and a review
5 24 process.

5 25 3. The division of criminal investigation is not
5 26 required to expunge or destroy a DNA record pursuant
5 27 to this section, if expungement or destruction of the
5 28 DNA record would destroy evidence related to another
5 29 person.

5 30 Sec. 10. NEW SECTION. 81.10 DNA PROFILING AFTER
5 31 CONVICTION.

5 32 1. A defendant who has been convicted of a felony
5 33 and who has not been required to submit a DNA sample
5 34 for DNA profiling may make a motion to the court for
5 35 an order to require that DNA analysis be performed on
5 36 evidence collected in the case for which the person

5 37 stands convicted.

5 38 2. The motion shall state the following:

5 39 a. The specific crimes for which the defendant

5 40 stands convicted in this case.

5 41 b. The facts of the underlying case, as proven at

5 42 trial or admitted to during a guilty plea proceeding.

5 43 c. Whether any of the charges include sexual abuse

5 44 or involve sexual assault, and if so, whether a sexual

5 45 assault examination was conducted and evidence

5 46 preserved, if known.

5 47 d. Whether identity was at issue or contested by

5 48 the defendant.

5 49 e. Whether the defendant offered an alibi, and if

5 50 so, testimony corroborating the alibi and, from whom.

6 1 f. Whether eyewitness testimony was offered, and

6 2 if so from whom.

6 3 g. Whether any issues of police or prosecutor

6 4 misconduct have been raised in the past or are being

6 5 raised by the motion.

6 6 h. The type of inculpatory evidence admitted into

6 7 evidence at trial or admitted to during a guilty plea

6 8 proceeding.

6 9 i. Whether blood testing or other biological

6 10 evidence testing was conducted previously in

6 11 connection with the case and, if so, by whom and to

6 12 the result, if known.

6 13 j. What biological evidence exists and, if known,

6 14 the agency or laboratory storing the evidence that the

6 15 defendant seeks to have tested.

6 16 k. Why the requested analysis of DNA evidence is

6 17 material to the issue in the case and not merely

6 18 cumulative or impeaching.

6 19 l. Why the DNA evidence would have changed the

6 20 outcome of the trial or invalidated a guilty plea if

6 21 DNA profiling had been conducted prior to the

6 22 conviction.

6 23 3. A motion filed under this section shall be

6 24 filed in the county where the defendant was convicted,

6 25 and notice of the motion shall be served by certified

6 26 mail upon the county attorney and, if known, upon the

6 27 state, local agency, or laboratory holding evidence

6 28 described in subsection 2, paragraph "k". The county

6 29 attorney shall have sixty days to file an answer to

6 30 the motion.

6 31 4. Any DNA profiling of the defendant or other

6 32 biological evidence testing conducted by the state or

6 33 by the defendant shall be disclosed and the results of

6 34 such profiling or testing described in the motion or

6 35 answer.

6 36 5. If the evidence requested to be tested was

6 37 previously subjected to DNA or other biological

6 38 analysis by either party, the court may order the

6 39 disclosure of the results of such testing, including

6 40 laboratory reports, notes, and underlying data, to the

6 41 court and the parties.

6 42 6. The court may order a hearing on the motion to

6 43 determine if evidence should be subjected to DNA

6 44 analysis.

6 45 7. The court shall grant the motion if all of the

6 46 following apply:

6 47 a. The evidence subject to DNA testing is

6 48 available and in a condition that will permit

6 49 analysis.

6 50 b. A sufficient chain of custody has been

7 1 established for the evidence.

7 2 c. The identity of the person who committed the

7 3 crime for which the defendant was convicted was a

7 4 significant issue in the crime for which the defendant

7 5 was convicted.

7 6 d. The evidence subject to DNA analysis is

7 7 material to, and not merely cumulative or impeaching

7 8 of, evidence included in the trial record or admitted

7 9 to at a guilty plea proceeding.

7 10 e. DNA analysis of the evidence would raise a

7 11 reasonable probability that the defendant would not

7 12 have been convicted if DNA profiling had been

7 13 available at the time of the conviction and had been

7 14 conducted prior to the conviction.

7 15 8. Upon the court granting a motion filed pursuant

7 16 to this section, DNA analysis of evidence shall be

7 17 conducted within the guidelines generally accepted by

7 18 the scientific community. The defendant shall provide
7 19 DNA samples for testing if requested by the state.

7 20 9. Results of DNA analysis conducted pursuant to
7 21 this section shall be reported to the parties and to
7 22 the court and may be provided to the board of parole,
7 23 department of corrections, and criminal and juvenile
7 24 justice agencies, as defined in section 692.1, for use
7 25 in the course of investigations and prosecutions, and
7 26 for consideration in connection with requests for
7 27 parole, pardon, reprieve, and commutation. DNA
7 28 samples obtained pursuant to this section may be
7 29 included in the DNA databank, and DNA profiles and DNA
7 30 records developed pursuant to this section may be
7 31 included in the DNA database.

7 32 10. A criminal or juvenile justice agency, as
7 33 defined in section 692.1, shall maintain DNA samples
7 34 and evidence that could be tested for DNA for a period
7 35 of three years beyond the limitations for the
7 36 commencement of criminal actions as set forth in
7 37 chapter 802. This section does not create a cause of
7 38 action for damages or a presumption of spoliation in
7 39 the event evidence is no longer available for testing.

7 40 11. If the court determines a defendant who files
7 41 a motion under this section is indigent, the defendant
7 42 shall be entitled to appointment of counsel as
7 43 provided in chapter 815.

7 44 12. If the court determines after DNA analysis
7 45 ordered pursuant to this section that the results
7 46 indicate conclusively that the DNA profile of the
7 47 defendant matches the profile from the analyzed
7 48 evidence used against the defendant, the court may
7 49 order the defendant to pay the costs of these
7 50 proceedings, including costs of all testing, court
8 1 costs, and costs of court-appointed counsel, if any.

8 2 Sec. 11. Section 229A.7, Code 2005, is amended by
8 3 adding the following new subsection:

8 4 NEW SUBSECTION. 5A. If the court or jury
8 5 determines that the respondent is a sexually violent
8 6 predator, the court shall order the respondent to
8 7 submit a DNA sample for DNA profiling pursuant to
8 8 section 81.4.

8 9 Sec. 12. Section 232.52, Code 2005, is amended by
8 10 adding the following new subsection:

8 11 NEW SUBSECTION. 10. The court shall order a
8 12 juvenile adjudicated a delinquent for an offense that
8 13 requires DNA profiling under section 81.2 to submit a
8 14 DNA sample for DNA profiling pursuant to section 81.4.

8 15 Sec. 13. Section 669.14, Code 2005, is amended by
8 16 adding the following new subsection:

8 17 NEW SUBSECTION. 15. Any claim arising from or
8 18 related to the collection of a DNA sample for DNA
8 19 profiling pursuant to section 81.4 or a DNA profiling
8 20 procedure performed by the division of criminal
8 21 investigation, department of public safety.

8 22 Sec. 14. Section 901.5, subsection 8A, Code 2005,
8 23 is amended to read as follows:

8 24 8A. a. The court shall order DNA profiling of a
8 25 defendant convicted of an offense that requires
8 26 profiling under section ~~13.10~~ 81.2.

8 27 b. Notwithstanding section ~~13.10~~ 81.2, the court
8 28 may order the defendant to provide a ~~physical specimen~~
8 29 DNA sample to be submitted for DNA profiling if
8 30 appropriate. In determining the appropriateness of
8 31 ordering DNA profiling, the court shall consider the
8 32 deterrent effect of DNA profiling, the likelihood of
8 33 repeated offenses by the defendant, and the
8 34 seriousness of the offense.

8 35 Sec. 15. Section 906.4, unnumbered paragraph 3,
8 36 Code 2005, is amended to read as follows:

8 37 ~~Notwithstanding section 13.10, the~~ The board may
8 38 order the defendant to provide a physical specimen to
8 39 be submitted for DNA profiling as a condition of
8 40 parole or work release, if ~~appropriate~~ a DNA profile
8 41 has not been previously conducted pursuant to chapter

8 42 81. In determining the appropriateness of ordering
8 43 DNA profiling, the board shall consider the deterrent
8 44 effect of DNA profiling, the likelihood of repeated
8 45 offenses by the defendant, and the seriousness of the
8 46 offense.

8 47 Sec. 16. 2002 Iowa Acts, chapter 1080, is
8 48 repealed.

8 49 Sec. 17. Section 13.10, Code 2005, is repealed.
8 50 Sec. 18. PERSONS REQUIRED TO SUBMIT A DNA SAMPLE
9 1 PRIOR TO EFFECTIVE DATE OF THIS DIVISION OF THIS ACT.
9 2 A person convicted, adjudicated a delinquent, civilly
9 3 committed as a sexually violent predator, or found not
9 4 guilty by reason of insanity, prior to the effective
9 5 date of this Act, who would otherwise be required to
9 6 submit a DNA sample under this Act, and who is under
9 7 the custody, control, or jurisdiction of a supervising
9 8 agency, shall submit a DNA sample prior to being
9 9 released from the supervising agency's custody,
9 10 control, or jurisdiction.

9 11 Sec. 19. EFFECTIVE DATE. This division of this
9 12 Act, being deemed of immediate importance, takes
9 13 effect upon enactment.

9 14 DIVISION II
9 15 SEX OFFENDER REGISTRY == TREATMENT == STUDY

9 16 Sec. 20. Section 232.68, subsection 2, Code 2005,
9 17 is amended by adding the following new paragraph:
9 18 NEW PARAGRAPH. i. Cohabitation with a person on
9 19 the sex offender registry under chapter 692A in
9 20 violation of section 726.6.

9 21 Sec. 21. Section 692A.1, subsection 8, Code 2005,
9 22 is amended to read as follows:

9 23 8. "Residence" means the place where a person
9 24 sleeps, which may include more than one location, and
9 25 may be mobile or transitory, including a shelter or
9 26 group home.

9 27 Sec. 22. Section 692A.2, Code 2005, is amended by
9 28 adding the following new subsection:

9 29 NEW SUBSECTION. 1A. If a person is required to
9 30 register for a period of ten years under subsection 1
9 31 and the period under subsection 1 has expired, the
9 32 person shall be required to remain on the registry if
9 33 the person has been sentenced to a special sentence as
9 34 required under section 903B.0A or 903B.0B, for a
9 35 period equal to the term of the special sentence.

9 36 Sec. 23. Section 692A.4, Code 2005, is amended to
9 37 read as follows:

9 38 692A.4 VERIFICATION OF ADDRESS AND TAKING OF
9 39 PHOTOGRAPH.

9 40 1. The address of a person required to register
9 41 under this chapter shall be verified annually as
9 42 follows:

9 43 a. On a date which falls within the month in which
9 44 the person was initially required to register, the
9 45 department shall mail a verification form to the last
9 46 reported address of the person. Verification forms
9 47 shall not be forwarded to the person who is required
9 48 to register under this chapter if the person no longer
9 49 resides at the address, but shall be returned to the
9 50 department.

10 1 b. The person shall complete and mail the
10 2 verification to the department within ten days of
10 3 receipt of the form.

10 4 c. The verification form shall be signed by the
10 5 person, and state the address at which the person
10 6 resides. If the person is in the process of changing
10 7 residences, the person shall state that fact as well
10 8 as the old and new addresses or places of residence.

10 9 2. Verification of address for a person who has
10 10 been convicted of an offense under the laws of this
10 11 state or of another state which would qualify the
10 12 person as a sexually violent predator shall be
10 13 accomplished in the same manner as in subsection 1,
10 14 except that the verification shall be done every three
10 15 months at times established by the department.

10 16 3. A photograph of a person required to register
10 17 under this chapter shall be updated, at a minimum,
10 18 annually. When the department mails the address
10 19 verification notice in subsection 1, the department
10 20 shall also enclose a form informing the person to
10 21 annually submit to being photographed by the sheriff
10 22 of the county of the person's residence within ten
10 23 days of receipt of the address verification form. The
10 24 sheriff shall send the updated photograph to the
10 25 department within ten days of the photograph being
10 26 taken and the department shall post the updated
10 27 photograph on the sex offender registry's web page.
10 28 The sheriff may require the person to submit to being
10 29 photographed by the sheriff more than once a year by

10 30 mailing another notice informing the person to submit
10 31 to being photographed.

10 32 Sec. 24. NEW SECTION. 692A.4A ELECTRONIC
10 33 MONITORING.

10 34 A person required to register under this chapter
10 35 who is placed on probation, parole, work release,
10 36 special sentence, or any other type of conditional
10 37 release, may be supervised by an electronic tracking
10 38 and monitoring system in addition to any other
10 39 conditions of supervision.

10 40 Sec. 25. Section 692A.5, subsection 1, Code 2005,
10 41 is amended by adding the following new paragraph:

10 42 NEW PARAGRAPH. i. Inform the person that the
10 43 person must, at a minimum, annually submit to being
10 44 photographed by the sheriff of the county of the
10 45 person's residence.

10 46 Sec. 26. Section 692A.13, subsection 3, Code 2005,
10 47 is amended to read as follows:

10 48 3. Any member of the public may contact a county
10 49 sheriff's office or police department to request
10 50 relevant information from the registry regarding a
11 1 specific person required to register under this
11 2 chapter. ~~The request for information shall be in~~

~~11 3 writing, and A person making a request for relevant~~
~~11 4 information may make the request by telephone, in~~
~~11 5 writing, or in person, and the request shall include~~

11 6 the name of the person and at least one of the
11 7 following identifiers pertaining to the person about
11 8 whom the information is sought:

- 11 9 a. The date of birth of the person.
11 10 b. The social security number of the person.
11 11 c. The address of the person.

11 12 A county sheriff or police department shall not
11 13 charge a fee relating to a request for relevant

11 14 information.

11 15 Sec. 27. Section 692A.13, subsection 2, paragraph
11 16 b, Code 2005, is amended to read as follows:

11 17 b. The general public, including public and
11 18 private agencies, organizations, public places, ~~public~~
~~11 19 and private schools,~~ child care facilities, religious
11 20 and youth organizations, neighbors, neighborhood
11 21 associations, community meetings, and employers.
11 22 Registry information may be distributed to the public
11 23 through printed materials, visual or audio press
11 24 releases, radio communications, or through a criminal
11 25 or juvenile justice agency's web page.

11 26 Sec. 28. Section 692A.13, Code 2005, is amended by
11 27 adding the following new subsection:

11 28 NEW SUBSECTION. 2A. When a person required to
11 29 register under this chapter moves into a school
11 30 district or moves within a school district, the county
11 31 sheriff of the county of the person's new residence
11 32 shall provide relevant information from the sex
11 33 offender registry to the administrative office of the
11 34 school district in which the person required to
11 35 register resides, and shall also provide relevant
11 36 information to any private school near the person's
11 37 residence.

11 38 Sec. 29. Section 692A.13, subsection 5, Code 2005,
11 39 is amended to read as follows:

11 40 5. Relevant information provided to the general
11 41 public may include the offender's name, address, a
11 42 photograph, locations frequented by the offender,
11 43 relevant criminal history information from the
11 44 registry, and any other relevant information.
11 45 Relevant information provided to the public shall not
11 46 include the identity of any victim. For purposes of

11 47 inclusion in the sex offender registry's web page or
11 48 dissemination to the general public, a conviction for
11 49 incest shall be disclosed as either a violation of
11 50 section 709.4 or 709.8.

12 1 Sec. 30. Section 726.6, subsection 1, Code 2005,
12 2 is amended by adding the following new paragraph:

12 3 NEW PARAGRAPH. h. Cohabits with a person after
12 4 knowing the person is required to register or is on
12 5 the sex offender registry as a sex offender under
12 6 chapter 692A. However, this paragraph does not apply
12 7 to a person who is a parent, guardian, or a person
12 8 having custody or control over a child or a minor who
12 9 is required to register as a sex offender.

12 10 Sec. 31. Section 903A.2, subsection 1, paragraph

12 11 a, Code 2005, is amended to read as follows:
12 12 a. Category "A" sentences are those sentences
12 13 which are not subject to a maximum accumulation of
12 14 earned time of fifteen percent of the total sentence
12 15 of confinement under section 902.12. To the extent
12 16 provided in subsection 5, category "A" sentences also
12 17 include life sentences imposed under section 902.1.
12 18 An inmate of an institution under the control of the
12 19 department of corrections who is serving a category
12 20 "A" sentence is eligible for a reduction of sentence
12 21 equal to one and two-tenths days for each day the
12 22 inmate demonstrates good conduct and satisfactorily
12 23 participates in any program or placement status
12 24 identified by the director to earn the reduction. The
12 25 programs include but are not limited to the following:

- 12 26 (1) Employment in the institution.
- 12 27 (2) Iowa state industries.
- 12 28 (3) An employment program established by the
12 29 director.
- 12 30 (4) A treatment program established by the
12 31 director.
- 12 32 (5) An inmate educational program approved by the
12 33 director.

12 34 However, an inmate required to participate in a sex
12 35 offender treatment program shall not be eligible for a
12 36 reduction of sentence unless the inmate participates
12 37 in and completes a sex offender treatment program
12 38 established by the director.

12 39 An inmate serving a category "A" sentence is
12 40 eligible for an additional reduction of sentence of up
12 41 to three hundred sixty-five days of the full term of
12 42 the sentence of the inmate for exemplary acts. In
12 43 accordance with section 903A.4, the director shall by
12 44 policy identify what constitutes an exemplary act that
12 45 may warrant an additional reduction of sentence.

12 46 Sec. 32. SEX OFFENDER INTERIM STUDY COMMITTEE.
12 47 The legislative council is requested to authorize a
12 48 study for the 2005 legislative interim on sexual
12 49 abuse-related criminal offenses and the sex offender
12 50 registry. The study recommendations and findings
13 1 shall include but are not limited to identifying
13 2 possible changes to sexual abuse-related offenses and
13 3 the sex offender registry. The study report,
13 4 including findings and recommendations, shall be
13 5 submitted to the general assembly for consideration
13 6 during the 2006 legislative session. The study shall
13 7 be conducted by a study committee consisting of up to
13 8 nine members of the general assembly. A chairperson
13 9 or co-chairpersons shall be designated by the
13 10 legislative council.

13 11 DIVISION III
13 12 ENHANCED CRIMINAL PENALTIES AND
13 13 STATUTE OF LIMITATIONS

13 14 Sec. 33. Section 709.8, Code 2005, is amended to
13 15 read as follows:

13 16 709.8 LASCIVIOUS ACTS WITH A CHILD.
13 17 It is unlawful for any person ~~eighteen~~ sixteen
13 18 years of age or older to perform any of the following
13 19 acts with a child with or without the child's consent
13 20 unless married to each other, for the purpose of
13 21 arousing or satisfying the sexual desires of either of
13 22 them:
13 23 1. Fondle or touch the pubes or genitals of a
13 24 child.
13 25 2. Permit or cause a child to fondle or touch the
13 26 person's genitals or pubes.
13 27 3. Solicit a child to engage in a sex act or
13 28 solicit a person to arrange a sex act with a child.
13 29 4. Inflict pain or discomfort upon a child or
13 30 permit a child to inflict pain or discomfort on the
13 31 person.

13 32 Any person who violates a provision of this section
13 33 involving an act included in subsection 1 or 2 shall,
13 34 upon conviction, be guilty of a class "D" "C" felony.
13 35 ~~A person who violates a provision of this section and~~
13 36 ~~who is sentenced to a term of confinement shall also~~
13 37 ~~be sentenced to an additional term of parole or work~~
13 38 ~~release not to exceed two years. The board of parole~~
13 39 ~~shall determine whether the person should be released~~
13 40 ~~on parole or placed in a work release program. The~~
13 41 ~~sentence of an additional term of parole or work~~

~~13 42 release supervision shall commence immediately upon
13 43 the expiration of the preceding sentence and shall be
13 44 under the terms and conditions as set out in chapter
13 45 906. Violations of parole or work release shall be
13 46 subject to the procedures set out in chapter 905 or
13 47 908 or rules adopted under those chapters. The
13 48 sentence of an additional term of parole or work
13 49 release shall be consecutive to the original term of
13 50 confinement. Any person who violates a provision of
14 1 this section involving an act included in subsection 3
14 2 or 4 shall, upon conviction, be guilty of a class "D"
14 3 felony.~~

14 4 Sec. 34. Section 802.2, Code 2005, is amended to
14 5 read as follows:

14 6 802.2 SEXUAL ABUSE == FIRST, SECOND, OR THIRD
14 7 DEGREE.

14 8 1. An information or indictment for sexual abuse
14 9 in the first, second, or third degree committed on or
14 10 with a person who is under the age of eighteen years
14 11 shall be found within ten years after the person upon
14 12 whom the offense is committed attains eighteen years
14 13 of age, or if the identity of the person against whom
14 14 the information or indictment is sought is established
14 15 through the use of a DNA profile, an information or
14 16 indictment shall be found within three years from the
14 17 date the identity of the person is identified by the
14 18 person's DNA profile, whichever is later.

14 19 2. An information or indictment for any other
14 20 sexual abuse in the first, second, or third degree
14 21 shall be found within ten years after its commission,
14 22 or if the identity of the person against whom the
14 23 information or indictment is sought is established
14 24 through the use of a DNA profile, an information or
14 25 indictment shall be found within three years from the
14 26 date the identity of the person is identified by the
14 27 person's DNA profile, whichever is later.

14 28 3. As used in this section, "identified" means a
14 29 person's legal name is known and the person has been
14 30 determined to be the source of the DNA.

14 31 Sec. 35. Section 901.5, Code 2005, is amended by
14 32 adding the following new subsection:

14 33 NEW SUBSECTION. 13. In addition to any other
14 34 sentence or other penalty imposed against the
14 35 defendant, the court shall impose a special sentence
14 36 if required under section 903B.0A or 903B.0B.

14 37 Sec. 36. NEW SECTION. 902.15 ENHANCED PENALTY ==
14 38 SEXUAL ABUSE OR LASCIVIOUS ACTS WITH A CHILD.

14 39 1. A person commits a class "A" felony if the
14 40 person commits a second or subsequent offense
14 41 involving any combination of the following offenses:
14 42 a. Sexual abuse in the second degree in violation
14 43 of section 709.3.
14 44 b. Sexual abuse in the third degree in violation
14 45 of section 709.4.

14 46 c. Lascivious acts with a child in violation of
14 47 section 709.8, subsection 1 or 2.

14 48 2. In determining if a violation charged is a
14 49 second or subsequent offense for purposes of criminal
14 50 sentencing in this section, each previous violation on
15 1 which conviction or deferral of judgment was entered
15 2 prior to the date of the violation charged shall be
15 3 considered and counted as a separate previous offense,
15 4 regardless of whether the previous offense occurred
15 5 before, on, or after the effective date of this Act.
15 6 Convictions or the equivalent of deferred judgments
15 7 for violations in any other states under statutes
15 8 substantially corresponding to the offenses listed in
15 9 subsection 1 shall be counted as previous offenses.
15 10 The courts shall judicially notice the statutes of
15 11 other states which define offenses substantially
15 12 equivalent to the offenses listed in subsection 1 and
15 13 can therefore be considered corresponding statutes.

15 14 Sec. 37. NEW SECTION. 903B.0A SPECIAL SENTENCE
15 15 == CLASS "B" OR CLASS "C" FELONIES.

15 16 A person convicted of a class "C" felony or greater
15 17 offense under chapter 709, or a class "C" felony under
15 18 section 728.12, shall also be sentenced, in addition
15 19 to any other punishment provided by law, to a special
15 20 sentence committing the person into the custody of the
15 21 director of the Iowa department of corrections for the
15 22 rest of the person's life, with eligibility for parole

15 23 as provided in chapter 906. The special sentence
15 24 imposed under this section shall commence upon
15 25 completion of the sentence imposed under any
15 26 applicable criminal sentencing provisions for the
15 27 underlying criminal offense and the person shall begin
15 28 the sentence under supervision as if on parole. The
15 29 person shall be placed on the corrections continuum in
15 30 chapter 901B, and the terms and conditions of the
15 31 special sentence, including violations, shall be
15 32 subject to the same set of procedures set out in
15 33 chapters 901B, 905, 906, and chapter 908, and rules
15 34 adopted under those chapters for persons on parole.
15 35 The revocation of release shall not be for a period
15 36 greater than two years upon any first revocation, and
15 37 five years upon any second or subsequent revocation.
15 38 A special sentence shall be considered a category "A"
15 39 sentence for purposes of calculating earned time under
15 40 section 903A.2.

15 41 Sec. 38. NEW SECTION. 903B.0B SPECIAL SENTENCE
15 42 == CLASS "D" FELONIES OR MISDEMEANORS.

15 43 A person convicted of a misdemeanor or a class "D"
15 44 felony offense under chapter 709, section 726.2, or
15 45 section 728.12 shall also be sentenced, in addition to
15 46 any other punishment provided by law, to a special
15 47 sentence committing the person into the custody of the
15 48 director of the Iowa department of corrections for a
15 49 period of ten years, with eligibility for parole as
15 50 provided in chapter 906. The special sentence imposed
16 1 under this section shall commence upon completion of
16 2 the sentence imposed under any applicable criminal
16 3 sentencing provisions for the underlying criminal
16 4 offense and the person shall begin the sentence under
16 5 supervision as if on parole. The person shall be
16 6 placed on the corrections continuum in chapter 901B,
16 7 and the terms and conditions of the special sentence,
16 8 including violations, shall be subject to the same set
16 9 of procedures set out in chapters 901B, 905, 906, and
16 10 908, and rules adopted under those chapters for
16 11 persons on parole. The revocation of release shall
16 12 not be for a period greater than two years upon any
16 13 first revocation, and five years upon any second or
16 14 subsequent revocation. A special sentence shall be
16 15 considered a category "A" sentence for purposes of
16 16 calculating earned time under section 903A.2.

16 17 Sec. 39. Section 903B.1, subsection 3, Code 2005,
16 18 is amended by striking the subsection.

16 19 Sec. 40. Section 906.15, unnumbered paragraph 1,
16 20 Code 2005, is amended to read as follows:

16 21 Unless sooner discharged, a person released on
16 22 parole shall be discharged when the person's term of
16 23 parole equals the period of imprisonment specified in
16 24 the person's sentence, less all time served in
16 25 confinement. Discharge from parole may be granted
16 26 prior to such time, when an early discharge is
16 27 appropriate. The board shall periodically review all
16 28 paroles, and when the board determines that any person
16 29 on parole is able and willing to fulfill the
16 30 obligations of a law-abiding citizen without further
16 31 supervision, the board shall discharge the person from
16 32 parole. A parole officer shall periodically review
16 33 all paroles assigned to the parole officer, and when
16 34 the parole officer determines that any person assigned
16 35 to the officer is able and willing to fulfill the
16 36 obligations of a law-abiding citizen without further
16 37 supervision, the officer may discharge the person from
16 38 parole after notification and approval of the district
16 39 director and notification of the board of parole. In
16 40 any event, discharge from parole shall terminate the
16 41 person's sentence. If a person has been sentenced to
16 42 a special sentence under section 903B.0A or 903B.0B,
16 43 the person may be discharged early from the sentence
16 44 in the same manner as any other person on parole.

16 45 However, a person convicted of a violation of section
16 46 709.3, 709.4, or 709.8 committed on or with a child,
16 47 or a person serving a sentence under section 902.12,
16 48 shall not be discharged from parole until the person's
16 49 term of parole equals the period of imprisonment
16 50 specified in the person's sentence, less all time
17 1 served in confinement.

17 2 Sec. 41. Section 908.5, Code 2005, is amended to
17 3 read as follows:

17 4 908.5 DISPOSITION.
17 5 1. If a violation of parole is established, the
17 6 administrative parole judge may continue the parole
17 7 with or without any modification of the conditions of
17 8 parole. The administrative parole judge may revoke
17 9 the parole and require the parolee to serve the
17 10 sentence originally imposed, or may revoke the parole
17 11 and reinstate the parolee's work release status.

17 12 2. If the person is serving a special sentence
17 13 under chapter 903B, the administrative parole judge
17 14 may revoke the release. Upon the revocation of
17 15 release, the person shall not serve the entire length
17 16 of the special sentence imposed, and the revocation
17 17 shall be for a period not to exceed two years in a
17 18 correctional institution upon a first revocation and
17 19 for a period not to exceed five years in a
17 20 correctional institution upon a second or subsequent
17 21 revocation.

17 22 3. The order of the administrative parole judge
17 23 shall contain findings of fact, conclusions of law,
17 24 and a disposition of the matter.

17 25 DIVISION IV
17 26 VICTIM RIGHTS

17 27 Sec. 42. NEW SECTION. 235D.1 CRIMINAL HISTORY
17 28 CHECK == APPLICANTS AT DOMESTIC ABUSE OR SEXUAL
17 29 ASSAULT CENTERS.

17 30 An applicant for employment at a domestic abuse or
17 31 sexual assault center shall be subject to a national
17 32 criminal history check through the federal bureau of
17 33 investigation. The domestic abuse or sexual assault
17 34 center shall request the criminal history check and
17 35 shall provide the applicant's fingerprints to the
17 36 department of public safety for submission through the
17 37 state criminal history repository to the federal
17 38 bureau of investigation. The applicant shall
17 39 authorize release of the results of the criminal
17 40 history check to the domestic abuse or sexual assault
17 41 center. The applicant shall pay the actual cost of
17 42 the fingerprinting and criminal history check, if any.
17 43 Unless the criminal history check was completed within
17 44 the ninety calendar days prior to the date the
17 45 application is received by the domestic abuse or
17 46 sexual assault center, the center shall reject and
17 47 return the application to the applicant. The results
17 48 of a criminal history check conducted pursuant to this
17 49 subsection shall not be considered a public record
17 50 under chapter 22. For purposes of this section,
18 1 "domestic abuse or sexual assault center" means a
18 2 facility which is used to house victims of domestic
18 3 abuse or sexual assault, and is owned, operated, or
18 4 maintained by a nonprofit organization.

18 5 Sec. 43. NEW SECTION. 709.22 PREVENTION OF
18 6 FURTHER SEXUAL ASSAULT == NOTIFICATION OF RIGHTS.

18 7 If a peace officer has reason to believe that a
18 8 sexual assault as defined in section 915.40 has
18 9 occurred, the officer shall use all reasonable means
18 10 to prevent further violence including but not limited
18 11 to the following:

18 12 1. If requested, remaining on the scene of the
18 13 alleged sexual assault as long as there is a danger to
18 14 the victim's physical safety without the presence of a
18 15 peace officer, including but not limited to staying in
18 16 the dwelling unit, or if unable to remain on the
18 17 scene, assisting the victim in leaving the residence.

18 18 2. Assisting a victim in obtaining medical
18 19 treatment necessitated by the sexual assault,
18 20 including providing assistance to the victim in
18 21 obtaining transportation to the emergency room of the
18 22 nearest hospital.

18 23 3. Providing a victim with immediate and adequate
18 24 notice of the victim's rights. The notice shall
18 25 consist of handing the victim a copy of the following
18 26 statement written in English and Spanish, asking the
18 27 victim to read the statement, and asking whether the
18 28 victim understands the rights:

18 29 "You have the right to ask the court for help with
18 30 any of the following on a temporary basis:

18 31 a. Keeping your attacker away from you, your home,
18 32 and your place of work.

18 33 b. The right to stay at your home without
18 34 interference from your attacker.

18 35 c. The right to seek a no-contact order under
18 36 section 709.20 or 915.22, if your attacker is arrested
18 37 for sexual assault.
18 38 You have the right to register as a victim with the
18 39 county attorney under section 915.12.
18 40 You have the right to file a complaint for threats,
18 41 assaults, or other related crimes.
18 42 You have the right to seek restitution against your
18 43 attacker for harm to you or your property.
18 44 You have the right to apply for victim
18 45 compensation.
18 46 You have the right to contact the county attorney
18 47 or local law enforcement to determine the status of
18 48 your case.
18 49 If you are in need of medical treatment, you have
18 50 the right to request that the officer present assist
19 1 you in obtaining transportation to the nearest
19 2 hospital or otherwise assist you.
19 3 You have the right to a sexual assault examination
19 4 performed at state expense.
19 5 If you believe that police protection is needed for
19 6 your physical safety, you have the right to request
19 7 that the officer present remain at the scene until you
19 8 and other affected parties can leave or until safety
19 9 is otherwise ensured."
19 10 The notice shall also contain the telephone numbers
19 11 of shelters, support groups, and crisis lines
19 12 operating in the area.
19 13 Sec. 44. Section 915.10, subsections 1 and 2, Code
19 14 2005, are amended to read as follows:
19 15 1. "Notification" means mailing by regular mail or
19 16 providing for hand delivery of appropriate information
19 17 or papers. However, this notification procedure does
19 18 not prohibit an office, agency, or department from
19 19 also providing appropriate information to a registered
19 20 victim by telephone, electronic mail, or other means.
19 21 2. "Registered" means having provided the county
19 22 attorney with the victim's written request for
19 23 registration and current mailing address and telephone
19 24 number. If an automated victim notification system is
19 25 implemented pursuant to section 915.10A, "registered"
19 26 also means having filed a request for registration
19 27 with the system.
19 28 Sec. 45. NEW SECTION. 915.10A AUTOMATED VICTIM
19 29 NOTIFICATION SYSTEM.
19 30 1. An automated victim notification system may be
19 31 utilized to assist public officials in informing crime
19 32 victims, the victim's family, or other interested
19 33 persons as provided in this subchapter and where
19 34 otherwise specifically provided. The system shall
19 35 disseminate the information to registered users
19 36 through telephonic, electronic, or other means of
19 37 access.
19 38 2. An office, agency, or department may satisfy a
19 39 notification obligation to registered victims required
19 40 by this subchapter through participation in the system
19 41 to the extent information is available for
19 42 dissemination through the system. Nothing in this
19 43 section shall relieve a notification obligation under
19 44 this subchapter due to the unavailability of
19 45 information for dissemination through the system.
19 46 3. Notwithstanding section 232.147, information
19 47 concerning juveniles charged with a felony offense
19 48 shall be released to the extent necessary to comply
19 49 with this section.
19 50 Sec. 46. Section 915.11, Code 2005, is amended to
20 1 read as follows:
20 2 915.11 INITIAL NOTIFICATION BY LAW ENFORCEMENT.
20 3 A local police department or county sheriff's
20 4 department shall advise a victim of the right to
20 5 register with the county attorney, and shall provide a
20 6 request-for-registration form to each victim. If an
20 7 automated victim notification system is available
20 8 pursuant to section 915.10A, a local police department
20 9 or county sheriff's department shall provide a
20 10 telephone number and website to each victim to
20 11 register with the system.
20 12 Sec. 47. Section 915.12, Code 2005, is amended to
20 13 read as follows:
20 14 915.12 REGISTRATION.
20 15 ~~1. The county attorney shall be the sole registrar~~

~~20 16 of victims under this subchapter.~~

20 17 ~~2-~~ 1. A victim may register by filing a written
20 18 request for registration form with the county
20 19 attorney. The county attorney shall notify the
20 20 victims in writing and advise them of their
20 21 registration and rights under this subchapter.

20 22 ~~3-~~ The county attorney shall provide a registered
20 23 victim list to the offices, agencies, and departments
20 24 required to provide information under this subchapter
20 25 for notification purposes.

20 26 2. ~~If an automated victim notification system, the~~
20 27 ~~victim's family, is available pursuant to section~~
20 28 ~~915.10A, a victim, the victim's family, or other~~
20 29 ~~interested person may register with the system by~~
20 30 ~~filing a request for registration through written,~~
20 31 ~~telephonic, or electronic means.~~

20 32 ~~4-~~ 3. Notwithstanding chapter 22 or any other
20 33 contrary provision of law, ~~a victim's~~ the registration
20 34 ~~of a victim, victim's family, or other interested~~
20 35 ~~person~~ shall be strictly maintained in a separate
20 36 confidential file ~~or other confidential medium~~, and
20 37 shall be available only to the offices, agencies, and
20 38 departments required to provide information under this
20 39 subchapter.

20 40 Sec. 48. Section 915.29, Code 2005, is amended by
20 41 adding the following new unnumbered paragraph:

20 42 NEW UNNUMBERED PARAGRAPH. The notification
20 43 required pursuant to this section may occur through
20 44 the automated victim notification system referred to
20 45 in section 915.10A to the extent such information is
20 46 available for dissemination through the system.

20 47 Sec. 49. Section 915.45, Code 2005, is amended by
20 48 adding the following new unnumbered paragraph:

20 49 NEW UNNUMBERED PARAGRAPH. The notification
20 50 required pursuant to this section may occur through
21 1 the automated victim notification system referred to
21 2 in section 915.10A to the extent such information is
21 3 available for dissemination through the system.

21 4 DIVISION V
21 5 TASK FORCE

21 6 Sec. 50. SEX OFFENDER TREATMENT AND SUPERVISION
21 7 TASK FORCE.

21 8 1. The division of criminal and juvenile justice
21 9 planning shall establish a task force to study and
21 10 make periodic recommendations for treating and
21 11 supervising sex offenders in correctional institutions
21 12 and in the community. The task force shall file a
21 13 report with recommendations with the general assembly
21 14 by January 15, 2006. The task force shall study the
21 15 effectiveness of electronic monitoring and the
21 16 potential effects and costs associated with the
21 17 special sentence created in this Act. The task force
21 18 shall study risk assessment models created for sex
21 19 offenders. The task force shall also review this
21 20 state's efforts and the efforts of other states to
21 21 implement treatment programs and make recommendations
21 22 as to the best treatment options available for sex
21 23 offenders. The task force shall also develop a plan
21 24 to integrate state government databases for the
21 25 purpose of updating addresses of persons on the sex
21 26 offender registry.

21 27 2. Members of the task force shall include
21 28 representatives of the following state agencies and
21 29 organizations:

- 21 30 a. One representative of the department of human
21 31 services.
- 21 32 b. One representative of the department of public
21 33 safety.
- 21 34 c. One representative of the Iowa state sheriffs
21 35 and deputies association.
- 21 36 d. One representative of the Iowa county attorneys
21 37 association.
- 21 38 e. One representative of the department of
21 39 corrections.
- 21 40 f. One representative of the board of parole.
- 21 41 g. One representative of a judicial district
21 42 department of correctional services.
- 21 43 h. One representative of the department of
21 44 justice.
- 21 45 i. One representative of the state public
21 46 defender.

21 47 j. One representative of the Iowa coalition
21 48 against sexual assault.
21 49 DIVISION VI
21 50 STATE MANDATE
22 1 Sec. 51. IMPLEMENTATION OF ACT. Section 25B.2,
22 2 subsection 3, shall not apply to this Act.>
22 3 #2. Title page, by striking lines 1 through 5 and
22 4 inserting the following: <An Act relating to criminal
22 5 sentencing, victim notification, and the sex offender
22 6 registry, by establishing a special sentence for
22 7 certain offenders, requiring DNA testing of certain
22 8 offenders and lengthening the time an information or
22 9 indictment may be found in certain offenses where DNA
22 10 evidence is available, requiring sex offender
22 11 treatment in order to accumulate earned time,
22 12 restricting certain persons from residing with sex
22 13 offenders, establishing a sex offender treatment and
22 14 supervision task force, providing penalties, and
22 15 providing effective dates.>

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22 18 _____
22 19 ROBERT E. DVORSKY

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22 22 _____
22 23 CHARLES W. LARSON, JR.

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22 25
22 26 _____
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22 40 KEITH A. KREIMAN
22 41 DAVID MILLER
22 42 HF 619.318 81
22 43 jm/cf/2963